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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/241,153	02/01/1999	TAKAAKI TERASHITA	048986-5001	8305
9629	7590	04/08/2004		
MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004			EXAMINER TILLERY, RASHAWN N	
			ART UNIT	PAPER NUMBER
			2612	21
DATE MAILED: 04/08/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/241,153

Applicant(s)

TERASHITA, TAKAAKI

Examiner

Rashawn N Tillery

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

Response to Arguments

Applicant's arguments with respect to claims 1-6 and 8-11 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 and 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski et al (US5040068) in view of Dalton et al (US5493332).

Parulski teaches an image recording unit, 30 (image processing unit) with interchangeable image pickup units, 4a and 4b (mono and color, high and low resolution). In a first embodiment, figure 1, a coding means, 14, sends identifying signals to the recording unit for identifying the image pickup unit (mono and color) based on the characteristics of the sensor (see col. 3, lines 49-61; also col. 4, lines 9-19). Similarly, in a second embodiment (figure 2), a coding means is used to identify the image pickup unit (high and low resolution), however, a signal processing section is

added (84, in figure 2). The signal processor includes processing such as color separation, white balance, gamma correction, etc (see col. 5, lines 57-68 and col. 6, lines 1-9). Additionally, in the second embodiment, the A/D converter, 34, is inside the image pickup unit.

Regarding claims 1 and 6, Parulski discloses, in two separate embodiments- figures 1 and 2, an image processing apparatus (30) for carrying out image processing on digital image signals, which have been acquired by one kind of a plurality of different kinds of digital cameras (interchangeable image pickup units 4a and 4b), the apparatus comprising:

input means (30) for reading the digital image signals and receiving camera kind information (code means 30 sends identifying signals) the camera kind information representing the one kind of the different kinds of digital cameras used to acquire the digital image signals (mono or color);

and image processing means (84).

Parulski does not expressly disclose a recording means having condition information recorded thereon. Additionally, Parulski does not expressly disclose a selection means for selecting optimum processing conditions.

Dalton teaches, in figure 2, a CCD head 11 and camera controller 12 configured to accept a variety of CCD imagers from different suppliers. The camera head includes a memory 28 in which a plurality of look-up tables are defined. The memory stores operating parameters of a selected CCD imager from a variety of imagers. CEU 12 downloads all of the parameters associated with the attached CCD imager to match the

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parameters with an ID card (32, 35) to carry out appropriate processing techniques. Thus, since Parulski's signal processor includes white balance and color separation, it would have been obvious to one of ordinary skill in the art, given Dalton's teachings of storing processing parameters in LUTs, to include values for each of the different kinds of cameras for color correction of the digital image signals in a LUT. The examiner additionally notes that in producing digital color images, regardless of the imager attached (high or low resolution), Parulski reproduces "uniform" images. One would have been motivated to implement Dalton's teachings of adding LUTs to store predetermined image processing conditions to permit replacement of a defective or inoperable CCD imager quickly and without return of the camera processor to the manufacturer.

Regarding claim 2, Parulski discloses statistical information (shutter, aperture, speed of image sensor) of the digital image signals is calculated (see col. 5, lines 3-8), and the image processing conditions are determined in accordance with the statistical information.

Regarding claim 3, Parulski discloses displaying the identity of the pickup unit (see col. 4, lines 65-68 and col. 5, lines 1-3).

Regarding claim 4, see Examiner's notes above.

Regarding claim 5, Parulski discloses manually inputting the camera kind information (see col. 9, lines 3-8).

Regarding claim 8, see claim 2 above.

Regarding claim 9, see claim 3 above.

Regarding claim 10, see Examiner's notes above.


Regarding claim 11, see claim 5 above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rashawn N Tillery whose telephone number is 703-305-0627. The examiner can normally be reached on 9AM-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 703-305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RNT



NGOC-YEN YU
PRIMARY EXAMINER